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Title 40: Protection of Environment
PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Subpart M—National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities

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SOURCE: 58 FR 49376, Sept. 22, 1993, unless otherwise noted.

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§63.320 Applicability.

(a) The provisions of this subpart apply to the owner or operator of each dry cleaning facility that uses perchloroethylene.

(b) The compliance date for a new dry cleaning system depends on the date that construction or reconstruction commences.

(1) Each dry cleaning system that commences construction or reconstruction on or after December 9, 1991 and before December 21, 2005, shall be in compliance with the provisions of this subpart except §63.322(o) beginning on September 22, 1993 or immediately upon startup, whichever is later, except for dry cleaning systems complying with section 112(i)(2) of the Clean Air Act; and shall be in compliance with the provisions of §63.322(o) beginning on July 28, 2008, except as provided by §63.6(b)(4), as applicable.

(2)(i) Each dry cleaning system that commences construction or reconstruction on or after December 21, 2005 shall be in compliance with the provisions of this subpart, except §63.322(o), immediately upon startup; and shall be in compliance with the provisions of §63.322(o) beginning on July 27, 2006 or immediately upon startup, whichever is later.

(ii) Each dry cleaning system that commences construction or reconstruction on or after December 21, 2005, but before July 13, 2006, and is located in a building with a residence, shall be in compliance with the provisions of this subpart, except §63.322(o), immediately upon startup; shall be in compliance with the provisions of §63.322(o)(5)(ii) beginning on July 27, 2006; and shall be in compliance with the provisions of §63.322(o)(5)(i) beginning on July 27, 2009.

(3) Each dry cleaning system that commences construction or reconstruction on or after July 27, 2006, shall be in compliance with the provisions of this subpart, including §63.322(o), immediately upon startup.

(c) Each dry cleaning system that commenced construction or reconstruction before December 9, 1991, and each new transfer machine system and its ancillary equipment that commenced construction or reconstruction on or after December 9, 1991 and before September 22, 1993, shall comply with §§63.322(c), (d), (i), (j), (k), (l), and (m); 63.323(d); and 63.324(a), (b), (d)(1), (d)(2), (d)(3), (d)(4), and (e) beginning on December 20, 1993, and shall comply with other provisions of this subpart except §63.322(o) by September 23, 1996; and shall comply with §63.322(o) by July 28, 2008.

(d) Each existing dry-to-dry machine and its ancillary equipment located in a dry cleaning facility that includes only dry-to-dry machines, and each existing transfer machine system and its ancillary equipment, and each new transfer machine system and its ancillary equipment installed between December 9, 1991, and September 22, 1993, as well as each existing dry-to-dry machine and its ancillary equipment, located in a dry cleaning facility that includes both transfer machine system(s) and dry-to-dry machine(s) is exempt from §§63.322, 63.323, and 63.324, except §§63.322(c), (d), (i), (j), (k), (l), (m), (o)(1), (o)(3), (o)(4) and (o)(5)(i); 63.323(d); and 63.324(a), (b), (d)(1), (d)(2), (d)(3), (d)(4), and (e) if the

total PCE consumption of the dry cleaning facility is less than 530 liters (140 gallons) per year. Consumption is determined according to §63.323(d).

(e) Each existing transfer machine system and its ancillary equipment, and each new transfer machine system and its ancillary equipment installed between December 9, 1991, and September 22, 1993, located in a dry cleaning facility that includes only transfer machine system(s), is exempt from §§63.322, 63.323, and 63.324, except §§63.322(c), (d), (i), (j), (k), (l), (m), (o)(1), (o)(3) and (o)(4); 63.323(d); and 63.324(a), (b), (d)(1), (d)(2), (d)(3), (d)(4), and (e) if the PCE consumption of the dry cleaning facility is less than 760 liters (200 gallons) per year. Consumption is determined according to §63.323(d).

(f) If the total yearly perchloroethylene consumption of a dry cleaning facility determined according to §63.323(d) is initially less than the amounts specified in paragraph (d) or (e) of this section, but later exceeds those amounts, the existing dry cleaning system(s) and new transfer machine system(s) and its (their) ancillary equipment installed between December 9, 1991 and September 22, 1993 in the dry cleaning facility must comply with §63.322, §63.323, and §63.324 by 180 calendar days from the date that the facility determines it has exceeded the amounts specified, or by September 23, 1996, whichever is later.

(g) A dry cleaning facility is a major source if the facility emits or has the potential to emit more than 9.1 megagrams per year (10 tons per year) of perchloroethylene to the atmosphere. In lieu of measuring a facility's potential to emit perchloroethylene emissions or determining a facility's potential to emit perchloroethylene emissions, a dry cleaning facility is a major source if:

(1) It includes only dry-to-dry machine(s) and has a total yearly perchloroethylene consumption greater than 8,000 liters (2,100 gallons) as determined according to §63.323(d); or

(2) It includes only transfer machine system(s) or both dry-to-dry machine(s) and transfer machine system(s) and has a total yearly perchloroethylene consumption greater than 6,800 liters (1,800 gallons) as determined according to §63.323 (d).

(h) A dry cleaning facility is an area source if it does not meet the conditions of paragraph (g) of this section.

(i) If the total yearly perchloroethylene consumption of a dry cleaning facility determined according to §63.323(d) is initially less than the amounts specified in paragraph (g) of this section, but then exceeds those amounts, the dry cleaning facility becomes a major source and all dry cleaning systems located at that dry cleaning facility must comply with the appropriate requirements for major sources under §§63.322, 63.323, and 63.324 by 180 calendar days from the date that the facility determines it has exceeded the amount specified, or by September 23, 1996, whichever is later.

(j) All coin-operated dry cleaning machines are exempt from the requirements of this subpart.

(k) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 71.3 (a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

[58 FR 49376, Sept. 22, 1993, as amended at 58 FR 66289, Dec. 20, 1993; 61 FR 27788, June 3, 1996; 61 FR 49265, Sept. 19, 1996; 64 FR 69643, Dec. 14, 1999; 70 FR 75345, Dec. 19, 2005; 71 FR 42743, July 27, 2006; 73 FR 39874, July 11, 2008]

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§63.321 Definitions.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

Ancillary equipment means the equipment used with a dry cleaning machine in a dry cleaning system including, but not limited to, emission control devices, pumps, filters, muck cookers, stills, solvent tanks, solvent containers, water separators, exhaust dampers, diverter valves, interconnecting piping, hoses, and ducts.

Area source means any perchloroethylene dry cleaning facility that meets the conditions of §63.320(h).

Articles mean clothing, garments, textiles, fabrics, leather goods, and the like, that are dry cleaned.

Biweekly means any 14-day period of time.

Carbon adsorber means a bed of activated carbon into which an air-perchloroethylene gas-vapor stream is routed and which adsorbs the perchloroethylene on the carbon.

Coin-operated dry cleaning machine means a dry cleaning machine that is operated by the customer (that is, the customer places articles into the machine, turns the machine on, and removes articles from the machine).

Colorimetric detector tube means a glass tube (sealed prior to use), containing material impregnated with a chemical that is sensitive to perchloroethylene and is designed to measure the concentration of perchloroethylene in air.

Construction, for purposes of this subpart, means the fabrication (onsite), erection, or installation of a dry cleaning system subject to this subpart.

Desorption means regeneration of a carbon adsorber by removal of the perchloroethylene adsorbed on the carbon.

Diverter valve means a flow control device that prevents room air from passing through a refrigerated condenser when the door of the dry cleaning machine is open.

Dry cleaning means the process of cleaning articles using perchloroethylene.

Dry cleaning cycle means the washing and drying of articles in a dry-to-dry machine or transfer machine system.

Dry cleaning facility means an establishment with one or more dry cleaning systems.

Dry cleaning machine means a dry-to-dry machine or each machine of a transfer machine system.

Dry cleaning machine drum means the perforated container inside the dry cleaning machine that holds the articles during dry cleaning.

Dry cleaning system means a dry-to-dry machine and its ancillary equipment or a transfer machine system and its ancillary equipment.

Dryer means a machine used to remove perchloroethylene from articles by tumbling them in a heated air stream (see reclaimer).

Dry-to-dry machine means a one-machine dry cleaning operation in which washing and drying are performed in the same machine.

Exhaust damper means a flow control device that prevents the air-perchloroethylene gas-vapor stream from exiting the dry cleaning machine into a carbon adsorber before room air is drawn into the dry cleaning machine.

Existing means commenced construction or reconstruction before December 9, 1991.

Filter means a porous device through which PCE is passed to remove contaminants in suspension. Examples include, but are not limited to, lint filter, button trap, cartridge filter, tubular filter, regenerative filter, prefilter, polishing filter, and spin disc filter.

Halogenated hydrocarbon detector means a portable device capable of detecting vapor concentrations of PCE of 25 parts per million by volume and indicating a concentration of 25 parts per million by volume or greater by emitting an audible or visual signal that varies as the concentration changes.

Heating coil means the device used to heat the air stream circulated from the dry cleaning machine drum, after perchloroethylene has been condensed from the air stream and before the stream reenters the dry cleaning machine drum.

Major source means any dry cleaning facility that meets the conditions of §63.320(g).

Muck cooker means a device for heating perchloroethylene-laden waste material to volatilize and recover perchloroethylene.

New means commenced construction or reconstruction on or after December 9, 1991.

PCE gas analyzer means a flame ionization detector, photoionization detector, or infrared analyzer capable of detecting vapor concentrations of PCE of 25 parts per million by volume.

Perceptible leaks mean any perchloroethylene vapor or liquid leaks that are obvious from:

(1) The odor of perchloroethylene;

(2) Visual observation, such as pools or droplets of liquid; or

(3) The detection of gas flow by passing the fingers over the surface of equipment.

Perchloroethylene consumption means the total volume of perchloroethylene purchased based upon purchase receipts or other reliable measures.

Reclaimer means a machine used to remove perchloroethylene from articles by tumbling them in a heated air stream (see dryer).

Reconstruction, for purposes of this subpart, means replacement of a washer, dryer, or reclaimer; or replacement of any components of a dry cleaning system to such an extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source.

Refrigerated condenser means a vapor recovery system into which an air-perchloroethylene gas-vapor stream is routed and the perchloroethylene is condensed by cooling the gas-vapor stream.

Refrigerated condenser coil means the coil containing the chilled liquid used to cool and condense the perchloroethylene.

Residence means any dwelling or housing in which people reside excluding short-term housing that is occupied by the same person for a period of less than 180 days (such as a hotel room).

Responsible official means one of the following:

(1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more dry cleaning facilities;

(2) For a partnership: A general partner;

(3) For a sole proprietorship: The owner; or

(4) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking official.

Room enclosure means a stationary structure that encloses a transfer machine system, and is vented to a carbon adsorber or an equivalent control device during operation of the transfer machine system.

Source, for purposes of this subpart, means each dry cleaning system.

Still means any device used to volatilize and recover perchloroethylene from contaminated perchloroethylene.

Temperature sensor means a thermometer or thermocouple used to measure temperature.

Transfer machine system means a multiple-machine dry cleaning operation in which washing and drying are performed in different machines. Examples include, but are not limited to:

(1) A washer and dryer(s);

(2) A washer and reclaimer(s); or

(3) A dry-to-dry machine and reclaimer(s).

Vapor barrier enclosure means a room that encloses a dry cleaning system and is constructed of vapor barrier material that is impermeable to perchloroethylene. The enclosure shall be equipped with a ventilation system that exhausts outside the building and is completely separate from the ventilation system for any other area of the building. The exhaust system shall be designed and operated to maintain negative pressure and a ventilation rate of at least one air change per five minutes. The vapor barrier enclosure shall be constructed of glass, plexiglass, polyvinyl chloride, PVC sheet 22 mil thick (0.022 in.), sheet metal, metal foil face composite board, or other materials that are impermeable to perchloroethylene vapor. The enclosure shall be constructed so that all joints and seams are sealed except for inlet make-up air and exhaust openings and the entry door.

Vapor leak means a PCE vapor concentration exceeding 25 parts per million by volume (50 parts per million by volume as methane) as indicated by a halogenated hydrocarbon detector or PCE gas analyzer.

Washer means a machine used to clean articles by immersing them in perchloroethylene. This includes a dry-to-dry machine when used with a reclaimer.

Water separator means any device used to recover perchloroethylene from a water-perchloroethylene mixture.

Year or *Yearly* means any consecutive 12-month period of time.

[58 FR 49376, Sept. 22, 1993, as amended at 71 FR 42744, July 27, 2006]

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§63.322 Standards.

(a) The owner or operator of each existing dry cleaning system and of each new transfer machine system and its ancillary equipment installed between December 9, 1991 and September 22, 1993 shall comply with either paragraph (a)(1) or (a)(2) of this section and shall comply with paragraph (a)(3) of this section if applicable.

(1) Route the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine through a refrigerated condenser or an equivalent control device.

(2) Route the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine through a carbon adsorber installed on the dry cleaning machine prior to September 22, 1993.

(3) Contain the dry cleaning machine inside a room enclosure if the dry cleaning machine is a transfer machine system located at a major source. Each room enclosure shall be:

(i) Constructed of materials impermeable to perchloroethylene; and

(ii) Designed and operated to maintain a negative pressure at each opening at all times that the machine is operating.

(b) The owner or operator of each new dry-to-dry machine and its ancillary equipment and of each new transfer machine system and its ancillary equipment installed after September 22, 1993:

(1) Shall route the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine through a refrigerated condenser or an equivalent control device;

(2) Shall eliminate any emission of perchloroethylene during the transfer of articles between the washer and dryer(s); and

(3) Shall pass the air-perchloroethylene gas-vapor stream from inside the dry cleaning machine drum through a carbon adsorber or equivalent control device immediately before or as the door of the dry cleaning machine is opened if the dry cleaning machine is located at a major source.

(c) The owner or operator shall close the door of each dry cleaning machine immediately after transferring articles to or from the machine, and shall keep the door closed at all other times.

(d) The owner or operator of each dry cleaning system shall operate and maintain the system according to the manufacturers' specifications and recommendations.

(e) Each refrigerated condenser used for the purposes of complying with paragraph (a) or (b) of this section and installed on a dry-to-dry machine, dryer, or reclaimer:

(1) Shall be operated to not vent or release the air-perchloroethylene gas-vapor stream contained within the dry cleaning machine to the atmosphere while the dry cleaning machine drum is rotating;

(2) Shall be monitored according to §63.323(a)(1); and

(3) Shall prevent air drawn into the dry cleaning machine when the door of the machine is open from passing through the refrigerated condenser.

(f) Each refrigerated condenser used for the purpose of complying with paragraph (a) of this section and installed on a washer:

(1) Shall be operated to not vent the air-perchloroethylene gas-vapor contained within the washer to the atmosphere until the washer door is opened;

(2) Shall be monitored according to §63.323(a)(2); and

(3) Shall not use the same refrigerated condenser coil for the washer that is used by a dry-to-dry machine, dryer, or reclaimer.

(g) Each carbon adsorber used for the purposes of complying with paragraph (a) or (b) of this section:

(1) Shall not be bypassed to vent or release any air-perchloroethylene gas-vapor stream to the atmosphere at any time; and

(2) Shall be monitored according to the applicable requirements in §63.323 (b) or (c).

(h) Each room enclosure used for the purposes of complying with paragraph (a)(3) of this section:

(1) Shall be operated to vent all air from the room enclosure through a carbon adsorber or an equivalent control device; and

(2) Shall be equipped with a carbon adsorber that is not the same carbon adsorber used to comply with paragraph (a)(2) or (b)(3) of this section.

(i) The owner or operator of an affected facility shall drain all cartridge filters in their housing, or other sealed container, for a minimum of 24 hours, or shall treat such filters in an equivalent manner, before removal from the dry cleaning facility.

(j) The owner or operator of an affected facility shall store all PCE and wastes that contain PCE in solvent tanks or solvent containers with no perceptible leaks. The exception to this requirement is that containers for separator water may be uncovered, as necessary, for proper operation of the machine and still.

(k) The owner or operator of a dry cleaning system shall inspect the system weekly for perceptible leaks while the dry cleaning system is operating. Inspection with a halogenated hydrocarbon detector or PCE gas analyzer also fulfills the requirement for inspection for perceptible leaks. The following components shall be inspected:

(1) Hose and pipe connections, fittings, couplings, and valves;

(2) Door gaskets and seatings;

(3) Filter gaskets and seatings;

(4) Pumps;

(5) Solvent tanks and containers;

(6) Water separators;

(7) Muck cookers;

(8) Stills;

(9) Exhaust dampers;

(10) Diverter valves; and

(11) All Filter housings.

(l) The owner or operator of a dry cleaning facility with a total facility consumption below the applicable consumption levels of §63.320(d) or (e) shall inspect the components listed in paragraph (k) of this section biweekly for perceptible leaks while the dry cleaning system is operating.

(m) The owner or operator of a dry cleaning system shall repair all leaks detected under paragraph (k) or (o)(1) of this section within 24 hours. If repair parts must be ordered, either a written or verbal order for those parts shall be initiated within 2 working days of detecting such a leak. Such repair parts shall be installed within 5 working days after receipt.

(n) If parameter values monitored under paragraphs (e), (f), or (g) of this section do not meet the values specified in §63.323(a), (b), or (c), adjustments or repairs shall be made to the dry cleaning system or control device to meet those values. If repair parts must be ordered, either a written or verbal order for such parts shall be initiated within 2 working days of detecting such a parameter value. Such repair parts shall be installed within 5 working days after receipt.

(o) Additional requirements:

(1) The owner or operator of a dry cleaning system shall inspect the components listed in paragraph (k) of this section for vapor leaks monthly while the component is in operation.

(i) Area sources shall conduct the inspections using a halogenated hydrocarbon detector or PCE gas analyzer that is operated according to the manufacturer's instructions. The operator shall place the probe inlet at the surface of each component interface where leakage could occur and move it slowly along the interface periphery.

(ii) Major sources shall conduct the inspections using a PCE gas analyzer operated according to EPA Method 21.

(iii) Any inspection conducted according to this paragraph shall satisfy the requirements to conduct an inspection for perceptible leaks under §63.322(k) or (l) of this subpart.

(2) The owner or operator of each dry cleaning system installed after December 21, 2005, at an area source shall route the air-PCE gas-vapor stream contained within each dry cleaning machine through a refrigerated condenser and pass the air-PCE gas-vapor stream from inside the dry cleaning machine drum through a non-vented carbon adsorber or equivalent control device immediately before the door of the dry cleaning machine is opened. The carbon adsorber must be desorbed in accordance with manufacturer's instructions.

(3) The owner or operator of any dry cleaning system shall eliminate any emission of PCE during the transfer of articles between the washer and the dryer(s) or reclaimer(s).

(4) The owner or operator shall eliminate any emission of PCE from any dry cleaning system that is installed (including relocation of a used machine) after December 21, 2005, and that is located in a building with a residence.

(5)(i) After December 21, 2020, the owner or operator shall eliminate any emission of PCE from any dry cleaning system that is located in a building with a residence.

(ii) Sources demonstrating compliance under Section 63.320(b)(2)(ii) shall comply with paragraph (o)(5)(ii)(A) through (C), in addition to the other applicable requirements of this section:

(A) Operate the dry cleaning system inside a vapor barrier enclosure. The exhaust system for the enclosure shall be operated at all times that the dry cleaning system is in operation and during maintenance. The entry door to the enclosure may be open only when a person is entering or exiting the enclosure.

(B) Route the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine through a refrigerated condenser and pass the air-perchloroethylene gas-vapor stream from inside the dry cleaning drum through a carbon adsorber or equivalent control device immediately before the door of the dry cleaning machine is opened. The carbon adsorber must be desorbed in accordance with manufacturer's instructions.

(C) Inspect the machine components listed in paragraph (k) of this section for vapor leaks weekly while the component is in operation. These inspections shall be conducted using a halogenated hydrocarbon detector or PCE gas analyzer that is operated according to the manufacturer's instructions. The operator shall place the probe inlet at the surface of each component interface where leakage could occur and move it slowly along the interface periphery.

[58 FR 49376, Sept. 22, 1993, as amended at 61 FR 49265, Sept. 19, 1996; 71 FR 42744, July 27, 2006]

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§63.323 Test methods and monitoring.

(a) When a refrigerated condenser is used to comply with §63.322(a)(1) or (b)(1):

(1) The owner or operator shall monitor on a weekly basis the parameters in either paragraph (a)(1)(i) or (ii) of this section.

(i) The refrigeration system high pressure and low pressure during the drying phase to determine if they are in the range specified in the manufacturer's operating instructions.

(ii) The temperature of the air-perchloroethylene gas-vapor stream on the outlet side of the refrigerated condenser on a dry-to-dry machine, dryer, or reclaimer with a temperature sensor to determine if it is equal to or less than 7.2 °C (45 °F) before the end of the cool-down or drying cycle while the gas-vapor stream is flowing through the condenser. The temperature sensor shall be used according to the manufacturer's instructions and shall be designed to measure a temperature of 7.2 °C (45 °F) to an accuracy of ±1.1 °C (±2 °F).

(2) The owner or operator shall calculate the difference between the temperature of the air-perchloroethylene gas-vapor stream entering the refrigerated condenser on a washer and the temperature of the air-perchloroethylene gas-vapor stream exiting the refrigerated condenser on the washer weekly to determine that the difference is greater than or equal to 11.1 °C (20 °F).

(i) Measurements of the inlet and outlet streams shall be made with a temperature sensor. Each temperature sensor shall be used according to the manufacturer's instructions, and designed to measure at least a temperature range from 0 °C (32 °F) to 48.9 °C (120 °F) to an accuracy of ±1.1 °C (±2 °F).

(ii) The difference between the inlet and outlet temperatures shall be calculated weekly from the measured values.

(b) When a carbon adsorber is used to comply with §63.322(a)(2) or exhaust is passed through a carbon adsorber immediately upon machine door opening to comply with §63.322(b)(3), the owner or operator shall measure the concentration of PCE in the exhaust of the carbon adsorber weekly with a colorimetric detector tube or PCE gas analyzer. The measurement shall be taken while the dry cleaning machine is venting to that carbon adsorber at the end of the last dry cleaning cycle prior to desorption of that carbon adsorber or removal of the activated carbon to determine that the PCE concentration in the exhaust is equal to or less than 100 parts per million by volume. The owner or operator shall:

(1) Use a colorimetric detector tube or PCE gas analyzer designed to measure a concentration of 100 parts per million by volume of PCE in air to an accuracy of ±25 parts per million by volume; and

(2) Use the colorimetric detector tube or PCE gas analyzer according to the manufacturer's instructions; and

(3) Provide a sampling port for monitoring within the exhaust outlet of the carbon adsorber that is easily accessible and located at least 8 stack or duct diameters downstream from any flow disturbance such as a bend, expansion,

contraction, or outlet; downstream from no other inlet; and 2 stack or duct diameters upstream from any flow disturbance such as a bend, expansion, contraction, inlet, or outlet.

(c) If the air-PCE gas vapor stream is passed through a carbon adsorber prior to machine door opening to comply with §63.322(b)(3), the owner or operator of an affected facility shall measure the concentration of PCE in the dry cleaning machine drum at the end of the dry cleaning cycle weekly with a colorimetric detector tube or PCE gas analyzer to determine that the PCE concentration is equal to or less than 300 parts per million by volume. The owner or operator shall:

(1) Use a colorimetric detector tube or PCE gas analyzer designed to measure a concentration of 300 parts per million by volume of PCE in air to an accuracy of ±75 parts per million by volume; and

(2) Use the colorimetric detector tube or PCE gas analyzer according to the manufacturer's instructions; and

(3) Conduct the weekly monitoring by inserting the colorimetric detector or PCE gas analyzer tube into the open space above the articles at the rear of the dry cleaning machine drum immediately upon opening the dry cleaning machine door.

(d) When calculating yearly perchloroethylene consumption for the purpose of demonstrating applicability according to §63.320, the owner or operator shall perform the following calculation on the first day of every month:

(1) Sum the volume of all perchloroethylene purchases made in each of the previous 12 months, as recorded in the log described in §63.324(d)(1).

(2) If no perchloroethylene purchases were made in a given month, then the perchloroethylene consumption for that month is zero gallons.

(3) The total sum calculated in paragraph (d) of this section is the yearly perchloroethylene consumption at the facility.

[58 FR 49376, Sept. 22, 1993, as amended at 71 FR 42745, July 27, 2006; 71 FR 55280, Sept. 21, 2006; 73 FR 39874, July 11, 2008]

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§63.324 Reporting and recordkeeping requirements.

(a) Each owner or operator of a dry cleaning facility shall notify the Administrator or delegated State authority in writing within 270 calendar days after September 23, 1993 (i.e., June 18, 1994) and provide the following information:

(1) The name and address of the owner or operator;

(2) The address (that is, physical location) of the dry cleaning facility;

(3) A brief description of the type of each dry cleaning machine at the dry cleaning facility;

(4) Documentation as described in §63.323(d) of the yearly perchloroethylene consumption at the dry cleaning facility for the previous year to demonstrate applicability according to §63.320; or an estimation of perchloroethylene consumption for the previous year to estimate applicability with §63.320; and

(5) A description of the type of control device(s) that will be used to achieve compliance with §63.322 (a) or (b) and whether the control device(s) is currently in use or will be purchased.

(6) Documentation to demonstrate to the Administrator's satisfaction that each room enclosure used to meet the requirements of §63.322(a)(3) meets the requirements of §63.322(a)(3) (i) and (ii).

(b) Each owner or operator of a dry cleaning facility shall submit to the Administrator or delegated State authority by registered mail on or before the 30th day following the compliance dates specified in §63.320 (b) or (c) or June 18, 1994, whichever is later, a notification of compliance status providing the following information and signed by a responsible official who shall certify its accuracy:

(1) The yearly perchloroethylene solvent consumption limit based upon the yearly solvent consumption calculated according to §63.323(d);

(2) Whether or not they are in compliance with each applicable requirement of §63.322; and

(3) All information contained in the statement is accurate and true.

(c) Each owner or operator of an area source dry cleaning facility that exceeds the solvent consumption limit reported in paragraph (b) of this section shall submit to the Administrator or a delegated State authority by registered mail on or before the dates specified in §63.320 (f) or (i), a notification of compliance status providing the following information and signed by a responsible official who shall certify its accuracy:

(1) The new yearly perchloroethylene solvent consumption limit based upon the yearly solvent consumption calculated according to §63.323(d);

(2) Whether or not they are in compliance with each applicable requirement of §63.322; and

(3) All information contained in the statement is accurate and true.

(d) Each owner or operator of a dry cleaning facility shall keep receipts of perchloroethylene purchases and a log of the following information and maintain such information on site and show it upon request for a period of 5 years:

(1) The volume of perchloroethylene purchased each month by the dry cleaning facility as recorded from perchloroethylene purchases; if no perchloroethylene is purchased during a given month then the owner or operator would enter zero gallons into the log;

(2) The calculation and result of the yearly perchloroethylene consumption determined on the first day of each month as specified in §63.323(d);

(3) The dates when the dry cleaning system components are inspected for leaks, as specified in §63.322(k), (l), or (o)(1), and the name or location of dry cleaning system components where leaks are detected;

(4) The dates of repair and records of written or verbal orders for repair parts to demonstrate compliance with §63.322(m) and (n);

(5) The date and monitoring results (temperature sensor or pressure gauge) as specified in §63.323 if a refrigerated condenser is used to comply with §63.322(a), (b), or (o); and

(6) The date and monitoring results, as specified in §63.323, if a carbon adsorber is used to comply with §63.322(a)(2), or (b)(3).

(e) Each owner or operator of a dry cleaning facility shall retain onsite a copy of the design specifications and the operating manuals for each dry cleaning system and each emission control device located at the dry cleaning facility.

(f) Each owner or operator of a dry cleaning facility shall submit to the Administrator or delegated State authority by registered mail on or before July 28, 2008 a notification of compliance status providing the following information and signed by a responsible official who shall certify its accuracy:

(1) The name and address of the owner or operator;

(2) The address (that is, physical location) of the dry cleaning facility;

(3) If they are located in a building with a residence(s), even if the residence is vacant at the time of this notification;

(4) If they are located in a building with no other tenants, leased space, or owner occupants;

(5) Whether they are a major or area source;

(6) The yearly PCE solvent consumption based upon the yearly solvent consumption calculated according to §63.323(d);

(7) Whether or not they are in compliance with each applicable requirement of §63.322; and

(8) All information contained in the statement is accurate and true.

[58 FR 49376, Sept. 22, 1993, as amended at 58 FR 66289, Dec. 20, 1993; 71 FR 42745, July 27, 2006; 73 FR 39875, July 11, 2008]

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§63.325 Determination of equivalent emission control technology.

(a) Any person requesting that the use of certain equipment or procedures be considered equivalent to the requirements under §63.322 shall collect, verify, and submit to the Administrator the following information to show that the alternative achieves equivalent emission reductions:

(1) Diagrams, as appropriate, illustrating the emission control technology, its operation and integration into or function with dry-to-dry machine(s) or transfer machine system(s) and their ancillary equipment during each portion of the normal dry cleaning cycle;

(2) Information quantifying vented perchloroethylene emissions from the dry-to-dry machine(s) or transfer machine system(s) during each portion of the dry cleaning cycle with and without the use of the candidate emission control technology;

(3) Information on solvent mileage achieved with and without the candidate emission control technology. Solvent mileage is the average weight of articles cleaned per volume of perchloroethylene used. Solvent mileage data must be of continuous duration for at least 1 year under the conditions of a typical dry cleaning operation. This information on solvent mileage must be accompanied by information on the design, configuration, operation, and maintenance of the specific dry cleaning system from which the solvent mileage information was obtained;

(4) Identification of maintenance requirements and parameters to monitor to ensure proper operation and maintenance of the candidate emission control technology;

(5) Explanation of why this information is considered accurate and representative of both the short-term and the long-term performance of the candidate emission control technology on the specific dry cleaning system examined;

(6) Explanation of why this information can or cannot be extrapolated to dry cleaning systems other than the specific system(s) examined; and

(7) Information on the cross-media impacts (to water and solid waste) of the candidate emission control technology and demonstration that the cross-media impacts are less than or equal to the cross-media impacts of a refrigerated condenser.

(b) For the purpose of determining equivalency to control equipment required under §63.322, the Administrator will evaluate the petition to determine whether equivalent control of perchloroethylene emissions has been adequately demonstrated.

(c) Where the Administrator determines that certain equipment and procedures may be equivalent, the Administrator will publish a notice in the FEDERAL REGISTER proposing to consider this equipment or these procedures as equivalent. After notice and opportunity for public hearing, the Administrator will publish the final determination of equivalency in the FEDERAL REGISTER.

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§63.326 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.320 and 63.322(a) through (j). Follow the requirements in §63.325 to demonstrate that alternative equipment or procedures are equivalent to the requirements of §63.322.

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

[68 FR 37347, June 23, 2003]

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